

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA, : 19-CR-239(RJD)

Plaintiff , :  
-against- : United States Courthouse  
CHRISTOPHER WALKER, : Brooklyn, New York

Defendant. : March 31, 2020  
9:30 o'clock a.m.

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TRANSCRIPT OF BAIL APPLICATION BY TELECONFERENCE  
BEFORE THE HONORABLE RAMON E. REYES, JR.  
UNITED STATES MAGISTRATE JUDGE.

APPEARANCES:

For the Government: RICHARD P. DONOGHUE  
United States Attorney  
BY: ANDREW ESTES  
Assistant United States Attorney  
271 Cadman Plaza East  
Brooklyn, New York

For the Defendant: MARK O'MARA, ESQ.  
FRITZ SCHELLER, ESQ.  
TAMA BETH KUDMAN, ESQ.

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1 (All present by teleconference except defendant.)

2 THE CLERK: This is criminal cause for bail  
3 application. USA versus Christopher Walker. The case is  
4 19-CR-239 via teleconference.

5 Can the attorneys please state your name for the  
6 record starting with the government, please.

7 MR. ESTES: Good morning. Andrew Estes for the  
8 government.

9 MR. O'MARA: Good morning, Your Honor. Mark O'Mara  
10 joined by Tama Kudman and Fritz Scheller.

11 THE CLERK: Great. Thank you.

12 THE COURT: Good morning.

13 I have read through the various submissions going  
14 back to the revocation hearing in front of Judge Orenstein so  
15 I have an understanding of what's gone on, what's going on,  
16 and I'm prepared to release Dr. Walker temporarily on a bond  
17 given the current situation in the country and the facility.  
18 So we can just move ahead with that but I want to give the  
19 folks, the government and Mr. O'Mara, to make any presentation  
20 they want to before we go forward with that.

21 MR. O'MARA: Mr. Estes, do you want to begin on your  
22 side?

23 MR. ESTES: Yes. Thank you.

24 Your Honor, very briefly, this is Andrew Estes on  
25 behalf of the government. I think we've set our position out

1 in the filings and hearings. If Your Honor has any questions,  
2 we're, of course, available to answer them but, otherwise, we  
3 do not oppose the request for the temporary order of release  
4 as stated in our recent letter. We do continue to reserve the  
5 right to seek the reentry of the permanent order of detention  
6 at the appropriate time.

7 MR. O'MARA: And if I might respond, obviously, we  
8 have been working behind the scenes to try to accomplish  
9 Mr. Walker's release so we are very good with the conditions  
10 placed or mentioned by the government. It is certainly our  
11 hope that, understanding that he will be quarantined for the  
12 next couple of weeks as he will need to be once he comes back  
13 to Florida, that at some point, probably in short order, we  
14 will be readdressing this hopefully to this court if  
15 appropriate.

16 Dr. Walker will want to get back to work.  
17 Particularly, he has a hospital where he has privileges and  
18 they are looking for doctors including retired doctors trying  
19 to help out with everything that's going on. So my hope is  
20 that we can work this through with the government and that we  
21 might need to make application back to the Court in short  
22 order hopefully in a similarly stipulated chain so that he can  
23 begin employment. Not only does he have his own business  
24 where he's got 15, I guess, 20 employees he's trying to keep  
25 employed but obviously, as a medical care provider, he can

1 assist with what's going on here in Tampa, Florida.

2 THE COURT: Well, in relation to early release,  
3 because I think it's part of this, I have a couple of  
4 questions before I talk about other things.

5 As I understand it, the government does not object  
6 to release on the following terms. I may have been frazzled,  
7 I had some of my own questions, but I want you to know where  
8 I'm coming from. \$1 million bond. Travel restrictions to New  
9 York City, Long Island, Florida and Massachusetts. No contact  
10 with co-defendants, victims or witnesses unless in the  
11 presence of counsel. Surrender of passports to the extent  
12 that hasn't already happened and no applications for any  
13 passports or international travel documents. Pretrial  
14 Services supervision subject to random home and workplace  
15 visits and reporting as directed. Two sureties and a  
16 third-party custodian, the sureties being Dr. Siddiqui and  
17 Sekou Clarke. The third-party custodian is Rhonda Webster.  
18 And continuation of this temporary release to be reevaluated  
19 on June 15th.

20 That is, if I am correct, the next date I'm on  
21 arraignment duty and I think it makes sense to have some  
22 continuity rather than bounce around from judge to judge. If  
23 there is a need to reevaluate the continuation before then,  
24 you can make an application. If you have to, that's fine but  
25 I would like to put it on at least as a placeholder on

1 June 15th at an appropriate time and I'll leave it to Sui-May  
2 to figure out what time.

3 Those are the terms. I know in the original  
4 Pretrial Services report, there was discussion of firearms but  
5 that is a standard condition of our release at the end of the  
6 bond, the back page of the bond. I understand Dr. Walker's  
7 father has rifles and all that so that shouldn't be an issue.

8 Are there any other terms that the government would  
9 have me put in the bond?

10 MR. ESTES: Yes, Your Honor. Andrew Estes again for  
11 the government. We do believe that home detention at this  
12 time is still appropriate for the bond.

13 THE COURT: Why is that?

14 MR. ESTES: Well, Your Honor, the reason for the  
15 initial revocation did relate to the defendant's attempted  
16 witness tampering and we believe that that is at least what  
17 would be needed to mitigate the possibility of returning to  
18 that kind of misconduct even on temporary release.

19 If, as Mr. O'Mara had mentioned before, if there is  
20 a specific request that comes up in the future, being able to  
21 return to some form of employment at a hospital, we would  
22 certainly consider that specific request, but at this time, in  
23 light of that misconduct leading to the revocation, the  
24 government thinks that home detention is appropriate.

25 THE COURT: Mr. O'Mara, do you want to respond?

1           MR. O'MARA: Yes, Your Honor, if I might. Again, I  
2 hesitate to relitigate some of the issues particularly when  
3 Mr. Estes and the defense team worked together to get this  
4 before you, this agreement, but just to respond quickly, the  
5 allegation is Mr. Walker had a very momentary conversation  
6 that something like changed these records in one conversation  
7 with a then employee of his. Over the next 10 days when they  
8 were still working together, nothing else was ever said about  
9 that and no check back, no did you do it, let me see the fixed  
10 records or something like that. So questionable is her  
11 credibility in this regard and, of course, that happened many,  
12 many months ago back in the May-June arena or timeline and  
13 nothing ever happened since.

14           The government charged several months later, I think  
15 it was five or six months later, charged him with the  
16 tampering but in the intervening time of five months, there  
17 was again never a reach-out to this one witness nor was there  
18 any allegation or suggestion that there was a reach-out or any  
19 inappropriate activity with any other witness involved in the  
20 case. So while I understand the government's position  
21 regarding tampering and it is an issue of great concern to the  
22 court, Dr. Walker has shown that the credibility of Ms. Exum  
23 is more at issue than her.

24           Having said that, more importantly, he is a medical  
25 doctor with an active practice here. We've kept, and

1 Ms. Webster who is on the phone who is now sort of the office  
2 manager, keep everything a life person at the office can  
3 testify that they're keeping I think about 15 or so employees  
4 employed right now trying to keep his practice alive, but if  
5 Dr. Walker has an opportunity to work in it and literally only  
6 to work in it or be at home or be at his lawyers, then he can  
7 keep those people employed.

8           Secondarily, as mentioned a moment ago, the Advent  
9 Health hospital or health care system is literally looking for  
10 people to help out there and it truly is a medical crisis so  
11 my thought is if you will allow him to work in his practice  
12 and with that hospital providing whatever services they want  
13 him to, then it would, one, keep him busy, keep him productive  
14 and keep him employed and actually have him, you know,  
15 somewhat give back to the community. We often have our  
16 clients go do community service work. I'm not sure what  
17 better community service work Dr. Walker and any other medical  
18 provider can do in this crisis time so that's my hope.

19           THE COURT: Mr. Estes, do you want to respond  
20 briefly?

21           MR. ESTES: Yes, Your Honor. If I could respond  
22 briefly on the point of return to employment or at another  
23 hospital facility.

24           Again, if there is a specific request for a hospital  
25 that needs his services, if such a request is made,

1 particularly if there is, as the government suspects there  
2 might be, some time of self-quarantining, it's not that he's  
3 going to be able to return to the field immediately anyway  
4 but, otherwise, the government's understanding of the  
5 defendant's request for the compelling reason under  
6 Section 3142 was the risk to Dr. Walker's health for being in  
7 the MDC at this time based on the health history that defense  
8 counsel has provided. So for that reason, that's why the  
9 government does not object to the temporary release from MDC  
10 in order to mitigate that risk to his health given his own  
11 personal health history and thinks that being in home  
12 detention will satisfy the government's concern as well as his  
13 own health.

14 THE COURT: What I'll do is I'll add the home  
15 detention electronic monitoring suggested by the government.  
16 He'll be restricted to home at all times, except for attorney  
17 visits, court appearances, medical treatment and employment or  
18 other activities as approved by Pretrial Services.

19 After his two weeks of quarantine, if you will, as  
20 long as he works it out with Pretrial Services, he would be  
21 able to work at his medical practice or otherwise as long as  
22 Pretrial agrees to it. Is it the Middle District of Florida?

23 MR. O'MARA: It is, Your Honor.

24 THE COURT: Okay. Now, I have a question about the  
25 ownership of the various suites at 801 North Warren Avenue in



1 Orlando. Are they owned by Dr. Walker or another entity?

2 MR. O'MARA: They are owned, and I'm going to bring,  
3 if I might bring Rhonda Webster in in a moment, but they are  
4 all owned by subsidiaries of a company called Med-Surge, which  
5 is an LLC wholly owned by Dr. Walker. So all of these suites  
6 are entirely owned by Dr. Walker or an entity that he has a  
7 100 percent ownership in.

8 If I might, for a moment to clear up the Court  
9 because there is, they're not direct on title in his name,  
10 Ms. Webster, can you shed some insight on that? And first you  
11 can acknowledge to the Court who you are.

12 MS. WEBSTER: Yes. My name is Rhonda Webster. I am  
13 the practice administrator for Dr. Christopher Walker. And  
14 the suites on the seventh floor of the 801 building, yes, are  
15 owned by Med-Surge Consultants which Dr. Walker is a  
16 100 percent owner of. There are different corporate names but  
17 they all fall under Med-Surge Consultants which he owns every  
18 single one of them.

19 THE COURT: All right. And you, Mr. O'Mara, do you  
20 know what occupant filed with the county clerk of Florida to  
21 secure the bond?

22 MR. O'MARA: The plan was, and, you know, we had  
23 started this process a few days ago and I had actually crafted  
24 what we sort of determined to be a promissory note of sorts  
25 and to the benefit of the government to accomplish this, but

1 we can certainly simply do what is more traditionally a surety  
2 bond securing those properties. The hope was doing it in a  
3 way that was acceptable to the government just so we can  
4 accomplish it in short order so we can accomplish \$1 million  
5 bond because we have about \$3 million worth of equity in those  
6 assets that we just spoke of. The hope was to do it rather  
7 than taking a delay time of incorporating a separate surety  
8 since we have two live people in on this call who are willing  
9 to sign off on it as well and that we can draw up an  
10 assignment or an interest in favor of the government that  
11 would become due and payable upon bond violation.

12 I don't know if this court had an opportunity yet to  
13 look at the plan document that we had worked out, but I think  
14 working with Mr. Estes, we can accomplish that this morning or  
15 today. I just want to do it in a way that gets Dr. Walker out  
16 as soon as possible.

17 THE COURT: Well, as soon as I sign this bond,  
18 Dr. Walker can be released. As part of the bond, I was going  
19 to indicate that confession of judgment, mortgage or lien in a  
20 form approved by the United States Attorney needs to be  
21 executed by April 8th. I mean, I really don't care. It  
22 doesn't matter. It matters more to the U.S. Attorney's Office  
23 as to whatever style or bond agreed to secure their position,  
24 so to speak. So I'll leave that to you folks to determine it.  
25 I've never dealt with condos in Florida. I don't know how you

1 would secure them. So I'll leave that up to you.

2 What about any additional terms? Anything you  
3 suggest, Mr. Estes? Speak now or forever hold your peace.

4 MR. ESTES: No, Your Honor. I believe everything  
5 has been covered at this point.

6 THE COURT: We have Dr. Siddiqui and Sekou Clarke on  
7 the line, is that correct?

8 MR. O'MARA: That is correct.

9 THE COURT: I'm going to ask you folks some  
10 questions so if you could you respond to the following  
11 questions, I'd appreciate it.

12 Do you swear to tell me the truth, the whole truth  
13 and nothing but the truth?

14 DR. SIDDIQUI: Yes.

15 MR. CLARKE: Yes.

16 THE COURT: I take it that Mr. O'Mara explained to  
17 you when it means to sign a bond?

18 DR. SIDDIQUI: Yes.

19 MR. CLARKE: Yes.

20 THE COURT: Do you understand if you sign this bond  
21 and Dr. Walker violates the terms of his release, you are  
22 liable to the government for \$1 million? It's a lot of money.  
23 The government can come after you for that money to the extent  
24 there's not a sufficient equity in these, in these condos or  
25 they just come after you straight. It doesn't have to first

1 go after the condos.

2 Do you understand that?

3 DR. SIDDIQUI: Yes.

4 MR. CLARKE: Yes.

5 THE COURT: Dr. Siddiqui, how long have you known  
6 Dr. Walker?

7 DR. SIDDIQUI: Two to three years.

8 THE COURT: And what about you, Mr. Clarke?

9 MR. CLARKE: Over 10 years.

10 THE COURT: Mr. Estes, have you had the opportunity  
11 to confer with Dr. Siddiqui and Mr. Clarke to make sure that  
12 they're adequate sureties?

13 MR. ESTES: We have not, Your Honor, but I had hoped  
14 to at least just briefly cut to it at this conference.

15 THE COURT: Okay. Dr. Siddiqui, what is your  
16 approximate income per year?

17 DR. SIDDIQUI: I would say in the range of 200 to  
18 250,000 a year.

19 THE COURT: What about you, Mr. Clarke?

20 MR. CLARKE: I'd say in the range of 550 to 600,000  
21 per year.

22 THE COURT: Okay. Do you need more than that,  
23 Mr. Estes?

24 MR. ESTES: Just briefly, whether each of the  
25 proposed suretors own any property in their own names.

1 THE COURT: Dr. Siddiqui, do you own any property?

2 DR. SIDDIQUI: I do own some properties, my  
3 residence and some land.

4 THE COURT: And your residence, is there some  
5 available equity meaning the value of the property is greater  
6 than whatever mortgage or loans you have on it?

7 DR. SIDDIQUI: Yes.

8 THE COURT: Do you know the approximate amount of  
9 equity that you have?

10 DR. SIDDIQUI: About 3 million.

11 THE COURT: And what about you, Mr. Clarke, what  
12 kind of equity is there?

13 MR. CLARKE: I think between three properties,  
14 there's probably 400,000.

15 THE COURT: Okay. And Ms. Webster, you've spoken  
16 already. I have to ask you the same question. Do you swear  
17 to tell the truth to the questions I'm going to pose to you?

18 MS. WEBSTER: Yes, Your Honor.

19 THE COURT: Did Mr. O'Mara explain to you what it  
20 means to be a third-party custodian?

21 MS. WEBSTER: He did.

22 THE COURT: Okay. And is this something you're  
23 willing to do?

24 MS. WEBSTER: Yes, Your Honor.

25 THE COURT: Sui-May, at some point, we need the

1 third-party custodian form.

2 THE CLERK: I will e-mail it to Mr. O'Mara to get, I  
3 guess, her signature. Yes, I will get it to you, Mr. O'Mara,  
4 the form.

5 MR. ATKINSON: This is Shavoy Atkinson from Pretrial  
6 Services. You should send it to defense counsel because it  
7 needs a signature for Pretrial Services on the form.

8 THE CLERK: Thank you, Shavoy.

9 THE COURT: All right. This bond needs to be signed  
10 by the sureties.

11 Dr. Siddiqui, do you authorize me to sign on your  
12 behalf?

13 DR. SIDDIQUI: Who is this? I'm sorry.

14 THE COURT: This is the judge.

15 DR. SIDDIQUI: Okay.

16 THE COURT: Ordinarily, you would be in court in  
17 front of the Magistrate Judge and you would actually  
18 physically sign the bond. Because of the situation, we're  
19 doing everything telephonically and we ask the sureties for  
20 authority to sign the bond on their behalf and what we do is  
21 put on the bond, "/S/ Dr. Irfan Siddiqui by Magistrate Judge  
22 Reyes."

23 DR. SIDDIQUI: Yes.

24 THE COURT: That would be your signature. Do you  
25 authorize me to do that?

1 DR. SIDDIQUI: Yes.

2 MR. O'MARA: It's basically a verbal order.

3 THE COURT: It's on the record. This conference is  
4 being recorded so we have a memorialization of it so you're on  
5 the hook, so to speak.

6 Mr. Clarke, do you authorize me to sign the bond on  
7 your behalf as well?

8 MR. CLARKE: Yes, Your Honor.

9 THE COURT: Okay. Great. So what I will do is I  
10 will sign this bond for the sureties, I will sign it myself  
11 and, Mr. O'Mara, if you authorize me to sign on behalf of your  
12 client, I will do that also.

13 MR. O'MARA: Yes, sir, I do.

14 THE COURT: Tomorrow, once he's released, we will  
15 have another telephone conference where I actually give him  
16 the warnings and tell him what the terms and conditions are.

17 MR. O'MARA: Yes, Your Honor.

18 THE COURT: Okay. So I will sign everything, we  
19 will get the bond to MDC, Dr. Walker will be released and  
20 we'll have the forms sent to Mr. Atkinson and he will get it  
21 back to us. I would like that no later than the end of this  
22 week and we're good to go.

23 MR. O'MARA: Great. Thank you very much for the  
24 time, Your Honor, and allowing us to do it in a somewhat  
25 informal way realizing everything we're all dealing with.

1 THE COURT: My pleasure.

2 Mr. Estes, do you have anything?

3 THE CLERK: Judge, this is Sui-May. So you'll  
4 e-mail me the bond and I'll distribute it to the appropriate  
5 parties. Once he's released, I didn't hear you, did you want  
6 a conference tomorrow with Dr. Walker to give him his bail  
7 warnings?

8 THE COURT: Or Wednesday.

9 MR. O'MARA: If I might, Your Honor, the plan is  
10 according to when he gets out today is getting him back to  
11 Florida as soon as we can. My thought is that he will be  
12 either driving back or if he can fly back, fly back tomorrow.

13 I might ask that we want to set a time or date for  
14 the conference call, that we do it Thursday, maybe even  
15 Friday, but whenever we -- I can be certain that he's here  
16 back there in Florida.

17 THE COURT: Let's do it Friday because I'm not on  
18 the schedule until Friday. Let's do it 3 o'clock on Friday.

19 MR. O'MARA: Great.

20 THE CLERK: Okay. 3 o'clock. If anything changes,  
21 Mr. O'Mara, just send me an e-mail please.

22 MR. O'MARA: I definitely will.

23 THE CLERK: And Judge Reyes, I think you mentioned  
24 about the bond. Did you say June 15th?

25 THE COURT: June 15th.



1 THE CLERK: We'll schedule it for 11 a.m.?

2 THE COURT: Sounds good.

3 THE CLERK: June 15th at 11.

4 THE COURT: And, again, if things come up before  
5 then that are negative and you want to make an application,  
6 either side, go right ahead.

7 MR. O'MARA: Yes, Your Honor.

8 MR. ATKINSON: And if I may, this is  
9 Officer Atkinson, we had reached out to the Middle District of  
10 Florida who will be supervising on our behalf of the EDNY and  
11 they asked if we can set up the equipment monitoring here  
12 because their office is closed in the middle of Florida and in  
13 the situation with someone coming to Florida, they are not  
14 going to be able to have contact with him. So we are going to  
15 set up the equipment here and we'll watch him until he gets to  
16 his home there and they'll take over the case once he's on his  
17 way home. So, Counsel, we'll get the location as soon as he's  
18 released.

19 MR. O'MARA: That would be great, yes. Whatever we  
20 can do to expedite that, I would appreciate it. Thank you.

21 Thank you very much for the time. Again, I  
22 appreciate it.

23 THE COURT: Thank you, everyone.

24 (Matter concluded.)  
25